

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL G. NEWAGO,

Plaintiff,

v.

ORDER

WISCONSIN DEPARTMENT OF CORRECTIONS,
DR. LIU, HSU MANAGER MAASSEN,
and RN KRISTINE PRALLE,

19-cv-757-jdp

Defendant.

Pro se plaintiff Michael G. Newago is proceeding on claims that prison staff at Jackson Correctional Institution failed to provide him adequate medical care and reasonable accommodations for his hip pain. In a previous order, I asked the state to submit evidence in response to Newago's motion for a preliminary injunction, and specifically, to provide information about the accommodations provided to Newago to assist him with daily hygiene. The state has responded, stating that Newago had been transferred from Jackson to Dodge Correctional Institution. Dkt. 59. The state provided evidence regarding the accommodations that Newago was receiving at Dodge. The court subsequently received information from the Department of Corrections that Newago was released from Dodge to active community supervision on December 14, 2020.

To prevail on a motion for a preliminary injunction, Newago must show: (1) a likelihood of success on the merits of his case; (2) a lack of an adequate remedy at law; and (3) an irreparable harm that will result if the injunction is not granted. *Lambert v. Buss*, 498 F.3d 446, 451 (7th Cir. 2007). Because Newago is no longer incarcerated, he cannot show that irreparable harm would result if I decline to order preliminary injunctive relief requiring that he be

provided with specific accommodations in prison. Accordingly, I will deny his request for preliminary injunctive relief as moot.

ORDER

IT IS ORDERED that plaintiff Michael G. Newago's motion for a preliminary injunction, Dkt. 30, is DENIED as moot.

Entered December 22, 2020.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge